



CALPEEK

CALIFORNIA POLITICAL WEEK

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VOL. XXII
No. 26

JUNE 26, 2000

CAMPAIGN 2000: WHICH IS BETTER - A DRUG REHAB INITIATIVE OR CALIF.'S SUCCESSFUL DRUG COURT?

Editor's note: In addition to fighting Calif.'s powerful law enforcement establishment, the *Calif. Campaign for New Drug Policies* will find themselves up against the California Assn. of Drug Court Professionals, who are on the NO side of this highly controversial initiative, which replaces jail or prison time with a drug rehabilitation program. Here's our update & analysis...

...The first person to compare this initiative with drug court was nationally syndicated pundit Alexander Cockburn, who wrote an op-ed article for the June 18th edition of the *L.A. Times*. Cockburn interviewed Contra Costa Co. Superior Judge Harlan Grossman, who runs one of 101 drug courts in Calif. Drug courts were started in 1989 in Miami and gradually spread nationwide. As part of the plea, those who enter the year-long drug court rehab program agree to be tested for drugs at least 3 times a week. Bottomline: Grossman sees flaws in this new initiative...

...As Calpeek has noted before, under this initiative, testing for drugs is permitted, but not required. And as Calpeek noted several weeks ago, testing is an absolute must when dealing with heroin addictions, this according to one of the country's foremost experts on drug rehabilitation and addiction, Dr. Forest Tennant, MD, of Covina. Why is testing required for heroin addiction? To see if the user has HIV, TB or Hepatitis C. In addition, testing is required when treating heroin addicts to see how much methadone (a synthetic narcotic used to treat heroin addiction) must be given. Give too much and the user can get hooked on methadone...

...Enter L.A. Co. Superior Court Judge Stephen Marcus, who is the drug court guru of Southern Calif. He told Calpeek he won't endorse YES or NO on this initiative, but he, like Judge Grossman, has serious problems with this measure, especially with the loose definition of what drug treatment actually means. And Marcus notes the initiative may have an adverse impact on drug courts because it will remove the ability of the judge to impose sanctions of jail time on users who fall back on old habits. Marcus says if you put

a user in jail for a day or two if they backslide, that's sometimes enough to get the message across...

...And Marcus says that his "subjects" are tested between 150-200 times over the course of their drug rehab treatment before they "graduate." Out of 100 people in such drug court programs, Marcus says the overall success rate is about 53%. Most of the drug court "clients" are in outpatient clinics, with about 10% in residential rehab units. Cost is about \$3,000-4,000 per year. And Marcus is working with L.A. Co. Sheriff Lee Baca on an ongoing drug treatment program within the jail system. If the initiative were to pass, this program would have to be stopped, because it won't allow jail time for those being treated...

...FYI: the biggest problem with this initiative is that it was written by a defense attorney, when it should have been written by Judges Grossman & Marcus, with lots of input from Dr. Tennant. And the biggest flaw is the testing: permitted, but not required. As Judge Marcus noted, "This measure is like the old diversion programs prior to drug court: education but no accountability." Stay tuned...

U.S. SUPREME COURT TO RULE ON ABORTION CASE THIS WEEK. NEW SURVEY SHOWS MIXED RESULTS.

Editor's note: *Carhart v. Stenberg* is all about the Nebraska State law supposedly banning late term abortions. It's the first abortion rights case to be heard in eight years by the U.S. Supreme Court. The nation's high court has a number of key rulings which will be handed down the week of June 29th, including a ruling on Calif.'s open primary law. Here's our update & analysis...

...In this presidential election year, the key nominees will undoubtedly talk about saving social security, fixing Medicare, cutting taxes and perhaps a half dozen other things. But when push comes to shove, the real issue of *Campaign 2000* could end up being the *U.S. Supreme Court* and what kind of nominees Demo VP Al Gore or GOP Texas Gov. George W. Bush put before the U.S. Senate Judiciary Committee. Some anticipate there could be 2-3 U.S. Supreme Court

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nominations during the next 4-years when either Gore or Bush becomes president...

...And although abortion is on the front burner right now, it's on *simmer* – not high. But if the U.S. Supreme Court rules in favor of the Nebraska law, it could put the issue of abortion on high heat for the fall elections. That would not be good news for Bush, who as governor of Texas signed 19 anti-abortion bills into law. And more important, abortion is a wedge issue within the GOP itself...

...So where is the U.S. and Calif. on the abortion issue right now? The L.A. Times just released the results of a national survey on June 18th. It has mixed results. **43%** of those adults polled favor the current *Roe v. Wade* law vs. **42%** who oppose it, with **15%** undecided. Another question was whether *abortion is murder*. **57%** agreed with that statement vs. **36%** who disagreed. And **82%** of those surveyed favor parental consent for a minor to have an abortion. But on the key question of whether or not to have a constitutional amendment banning abortion, **65%** said NO vs. **27%** who said YES. Here in Calif., there's nothing recent on abortion, but in September of 1998, a Field Poll showed **61%** support abortion in the 1st trimester. And **78%** favored late term abortion "if the health of the mother is threatened."...

...And while Calif. has a pro-choice governor in Gray Davis (D) and a pro-choice dominated legislature, both Planned Parenthood and CARAL (Calif. Abortion & Reproductive Rights Action League) see troubling times ahead. According to CARAL, in Calif., **36%** of the 58 counties have no abortion provider. And between 1992-96, Calif. lost 62 abortion providers (clinics/hospitals) – the most dramatic drop in the U.S. And a CARAL study shows that only **5%** of Calif.'s hospitals are providing abortions. One reason these services are declining is because only **12%** of the MD residency programs at med schools are teaching abortion as part of the curriculum. Why only 12%? Thanks to Planned Parenthood, doctors moved abortions out of the hospitals and into clinics so abortions would be more accessible. That's when the medical schools cut back teaching abortion procedures. Interesting. And Catholic hospitals are taking over non-religious hospitals at a faster rate. When that happens all abortions, birth control and emergency contraception is eliminated. At the start of 2000, Catholic Healthcare West was the largest hospital group in Calif....

...FYI: Back to *Carhart v. Stenberg*. The law before the high court contains a 20-year prison sentence for MDs who violate the vague provisions of this Nebraska law. While most think that late term abortions apply to just one kind of medical procedure, the laws are sometimes written in such a

way (very vague and broad) to cover the most common types of abortion procedures. It's what Planned Parenthood calls *bait & switch*. Stay tuned...

THE QUACKENBUSH CHRONICLES: NEW FIELD POLL SHOWS PUBLIC TURNING AGAINST COMMISSIONER.

Editor's note: The best laid plans sometimes come undone and that's what happened this past week, as CA Insurance Commissioner Chuck Quackenbush(R) had his "date" with the Assembly Insurance Committee postponed because of a last minute snag in the debate over the proposed \$100 billion CA budget. When the budget is finally wrapped up, that's when Commissioner Q will give his long awaited response to charges leveled against him. The accusations arise out of the 1994 Northridge earthquake, where insurance companies escaped heavy fines by the DOI for the way in which they mishandled claims. And instead of paying \$3 billion in fines, 6 insurance companies contributed \$12-13 million to two foundations set up by Q. None of the monies ever made it to the quake victims, but instead went to PR and political ventures to improve Comm. Q's standing. The entire scheme began to unravel Mar. 26 when Virginia Ellis of the L.A. Times broke a story detailing some of these allegations. Since Mar. 26th there have been hundreds of stories written about Comm. Q and this "scandal" and 5 major CA daily newspapers have called for Q's resignation. How do voters feel about Comm. Q? Here are the results of the latest Field Poll, June 9-13, among 388 registered voters...

- Comm. Q's job approval rating among registered voters is just **11%**, with disapproval running at **54%**. Another 35% have no opinion. And even among GOPers, it's pretty close to the same thing – so there's no partisan slant to this DOI fiasco on this particular question...
- How serious are the charges against Comm. Q? No opinion is 10% among registered voters; not serious just 7%; serious **83%**...
- Should Comm. Q resign? A little more partisan here, but overall among registered voters, it's **50%** should resign vs. **29%** should not; and another **21%** with no opinion. Among GOPers, 43% said he should resign vs. 39% who said he should not...
- The big question. If Quackenbush won't resign, should he face impeachment proceedings? Among all registered voters, **54%** say YES vs. **24%** who say NO; with 22% offering no opinion. Among Demos, 63% favor impeachment vs. 44% among GOPers...

...FYI: In last week's issue, Calpeek noted that State Sen.

Patrick Johnston(D-Stockton) was a name that surfaced as a replacement should a vacancy occur. But there's a law on the books which bans the governor from appointing a member of the legislature to anything during the legislator's term in office. If a vacancy did occur, Gov. Davis could appoint Johnston after Nov. 30th, when Johnston's term officially expires – but not before that time. Stay tuned...

CALIFORNIA INITIATIVE UPDATE: VOUCHERS AND FEES/TAXES MEASURE BOTH MAKE THE BALLOT.

Editor's note: Two more initiatives have qualified for Calif.'s Nov. 7th ballot. Here's a brief update...

◆ **Fees, Taxes. New Definitions, Vote Requirements** is the official name of the 3rd initiative to qualify for Calif.'s Nov. 7th ballot. The sponsors go under the name of Business & Taxpayers for Fair Fees(BTFF) – with the Calif. Chamber of Commerce, the Calif. Taxpayers Assn., the Calif. Mfg. & Technology Assn. and the Calif. Farm Bureau taking lead roles in qualifying this measure. The sponsors call their plan, *The Stop the Hidden Taxes Initiative*...

...If approved, BTFF's initiative would overturn a Calif. Supreme Court decision known as *Sinclair Paint v. Board of Equalization*. Calpeek has already written a story about this case, so we won't rehash it again. And the initiative also will require a 2/3rds on all new fees imposed by the Legislature – because these won't be fees any longer, but taxes under the new definition in this initiative. Complex and not very sexy, but the business community will spend big bucks to try and pass this measure...

◆ **School Voucher Initiative Qualifies** – This initiative to provide every Calif. child with a \$4,000 voucher has qualified for the Nov. 7th ballot. The official title is *School Vouchers. State-Funded Private and Religious Education. Public School Funding*. This is the 4th initiative to make the fall ballot. The driving force behind this measure is *School Vouchers 2000*, with Silicon Valley venture capitalist Tim Draper as chair of this committee. This measure is a constitutional amendment...

...No sooner had the CA Secretary of State announced the qualification than *NO Vouchers 2000* issued a news release denouncing the fall initiative. The headline read: *Draper Voucher Initiative Hurts Public Schools: Creates New System of Unregulated Voucher Schools*. Back in 1993, Calif. voters mashed a similar proposal in a special statewide election. Just about the entire Calif. educational establishment is on the NO side...

◆ **Son of 26** – Good news for backers of this initiative to

lower the vote requirement for passing a local school bond. It's the only initiative left that is being counted by county registrars. And with about 5 days remaining, sources think the odds are *fair-to-good* that this initiative, known in political circles as *Son of 26*, will qualify for the Nov. 7th ballot. The bad news: a poll taken a few weeks back for Demos shows the Son of 26 plan to cut from 2/3rds to 55% to pass a local school bond – to be losing. 42% are in favor vs. 45% against. This was all part of the same poll which showed U.S. Sen. Dianne Feinstein(D) leading U.S. Rep. Tom Campbell(R) by 15-pts. This same poll also showed VP Al Gore leading TX GOP Gov. George W. Bush by a 43% to 40% margin in Calif. FYI: Calpeek sources say the big L.A. Community College District has postponed putting a bond measure before voters until after the Nov. 7th...

◆ **Contracting Out Update** – Opponents of this initiative to allow contracting out of design and architectural services to the private sector have picked up the endorsement of the Calif. Assn. of Highway Patrolmen(CAHP). The opposition group goes by the name of *Californians Opposed to School & Road Delay*. Stay tuned...

CAMPAIGN 2000: THE RUN FOR THE WHITE HOUSE.

Editor's note: Here are some brief updates about the 2000 presidential campaign...

◆ **New Polling Data** – The L.A. Times has a nationwide poll showing GOP Texas Gov. George W. Bush holding a 10 point lead over Demo VP Al Gore: 50% to 40%, with 2% for others and 8% undecided. This poll was taken June 8-13 among 1,686 registered voters...

...But here in Calif., Gore continues to lead Bush. In the new Field Poll, taken June 9-18 among 642 likely voters, Gore holds a 46% to 35% lead over Bush. But here's what is interesting: Green Party candidate Ralph Nader is now drawing 7% and Pat Buchanan, who hopes to be the Reform Party USA candidate, is getting 2%. About 10% are undecided. A private poll taken for Demos about this same time showed Gore leading Bush, but by only 3 points: 43% to 40%...

...A private GOP survey taken by Steve Kinney of Public Opinion Strategies also shows the Gore/Bush race in Calif. to be close. The POS survey of 800 likely voters (June 14-18) shows Gore 41% vs. Bush at 38%, with Nader at 5% and Buchanan at 2%...

◆ **Gore Shuffles Campaign** – Gore has finally wised up and replaced former CA Congressman/current DC insider Tony Coelho as his campaign chair. The savvy DOC Secretary Bill Daley takes Coelho's place...

CALPEEK'S CALENDAR OF POLITICAL EVENTS

June 29-July 3	Libertarian Party Presidential Convention, Anaheim, CA.
July 7-9	CDP Executive Board meeting, Sheraton Universal Hotel, Universal City, CA.
July 31-Aug. 3	RNC Presidential Convention, Philadelphia.
Aug. 10-13	Reform Party Presidential Convention, Long Beach, CA.
Aug. 14-17	DNC Presidential Convention, Los Angeles.
Aug. 31-Sep. 2	Natural Law Presidential Convention, Alexandria, VA.
Sept. 15-17	CRP Convention, Palm Springs, CA.
Nov. 7	Election day.
Nov. 9-12	Internat'l Assn. of Political Consultants annual conference, Washington DC.
Dec. 18	Electoral College delegates meet in Sacto.

DOG DAYS OF SUMMER: POLITICAL SHORT TAKES.

Editor's note: Here are a few items, political & otherwise, worth noting...

■ **Trouble for L.A.'s Demo Convention??** – As Calpeek hit deadline, the L.A. City Council had still not voted on whether or not to give the Convention 2000 Host Cmt. \$4 million in cash – a bailout, with the money going to the DNC as part of the deal to bring the presidential convention to L.A. in 2000 – *at no cost to taxpayers*. Well, not exactly. The city is putting up \$11 million in services, but no hard cash. Opposition to a bailout continues to grow, the leading opponent being Councilman Joel Wachs. But City Controller Rick Tuttle also is opposed and says the bailout with city funds would set a bad precedent for future projects. And who is getting blamed for the committee's poor showing? L.A. Mayor Richard Riordan. One source told Calpeek, "It shows a lack of leadership on Riordan's part. He should pick up his phone and start dialing for dollars with his rich friends." Sources say the host committee was sailing along in good shape until Riordan removed Lucy McCoy as the chief honcho and replaced her with his deputy, Noelia Rodriguez – not that Rodriguez is to blame. Guess who's smiling now? There is an opposite view of this whole thing: "If you're a world class city, act like it and put up the money," a source told Calpeek...

■ **Jerry Brown Vs. FPCC** – The year was 1974 and then CA Secretary of State Jerry Brown(D) was running for governor, using Campaign Reform (*Prop. 9*) as his political vehicle. For those with short memories, it was Prop. 9 which created the FPCC – the Calif. campaign watchdog. June 4th saw Brown win the Demo nomination and Prop. 9 also won. According to Tony Miller's PRA Reporter, 26 years later Oakland Mayor Jerry Brown is suing his "child," because the FPCC has declared that Brown has a conflict of interest

which bans him from making decisions about Oakland's Lower Broadway Redevelopment Project. Brown owns property there. A legal brief was submitted to the Court of Appeals on behalf of Brown. Interesting...

■ **Big GOP Registration Effort in Orange Co.** – The influential Lincoln Club is joining forces with the *New Majority PAC* to launch a Republican voter registration drive which hopes to sign up 25,000 new GOP voters. Cost of the drive is around \$250,000. Purpose of the drive is to give GOP presidential hopeful George W. Bush the kind of win in O.C. to offset the big Demo vote in other parts of Calif....

■ **The VLF & Local Govt Funding Reform** – The big hang up in this year's budget debate is once again cutting the VLF (vehicle license fee) *aka* the car tax. All of the funds collected by the State for the VLF go to local government and they can spend 75% of it anyway they want. So when the fee is cut, local government takes a huge hit, unless the State *backfills* the locals for the lost revenue. And the *backfill* comes from the general fund. But here's the problem: as the cost of cars goes up, there's nothing in place to contain the drain on the general fund. Bottomline: local government needs to wean itself from the VLF and there's got to be an *overall reform* in the way the State helps to fund local government. FYI: If you're in a finger pointing mood about this year's VLF screw up, the guy who takes the hit is Demo Assembly Speaker Bob Hertzberg...

■ **Californians Still Love Clinton** – According to the new Field Poll, President Bill Clinton's job approval rating among Calif. adults is 62% vs. only 29% who disapprove...

■ **Hillary for U.S. Senate** – In this same Field Poll, the survey asked adults if they wanted to see Hillary Clinton elected to the U.S. Senate from NY. 50% said YES vs. 33% NO, with 17% having no opinion...

■ **Bock Collects Signatures** – Former Green Party turned indy Assemblywoman Audie Bock of Oakland has begun her drive to collect 5,677 valid signatures from voters in the 16th AD so that she can run as an independent Nov. 7th...

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